

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
MARQUISE TOLBERT,  
  
Defendant.

CASE NO. 2:23-cr-00118-TL  
  
ORDER ON DEFENDANT’S  
MOTION TO COMMUNICATE  
WITH CO-DEFENDANT

The Court, having considered the motion of Defendant Marquise Tolbert to communicate with Co-Defendant Adrianna Kinsey (Dkt. No. 63), the Government’s response (Dkt. No. 68), and the remaining relevant record, hereby finds that the two named Defendants are in a relationship, with Ms. Kinsey bearing Mr. Tolbert’s child. Ms. Kinsey has been released on bond and on the condition that she “not have direct contact or indirect contact with any . . . co-defendant(s) in this case.” Dkt. No. 22. The Court recognizes that there are serious concerns regarding the potential for collusion, witness or evidence tampering, and intentional or implied

1 coercion in the ongoing criminal matter if the two Defendants are permitted to communicated  
2 without limitation. *See* Dkt. No. 68 at 3–6.

3 Accordingly, the Court hereby GRANTS Mr. Tolbert’s motion to communicate with  
4 Ms. Kinsey (Dkt. No. 63), but with the following conditions:

- 5 (1) Mr. Tolbert and Ms. Kinsey are PERMITTED to communicate with each other via  
6 written letters only. The subject of the letters must be limited to the issue of the  
7 pregnancy, the child the two are expecting, and their parenting relationship.
- 8 (2) The Court hereby APPOINTS Russell Aoki, of Aoki PLLC, as a third-party monitor  
9 to receive and review the letters between Mr. Tolbert and Ms. Kinsey. Any letters  
10 between the two Defendants must be sent to Mr. Aoki at 1200 5th Ave., Suite  
11 750, Seattle, WA 98101 (or an email address if Mr. Aoki chooses to provide one  
12 to Mr. Tolbert and Ms. Kinsey). Mr. Aoki SHALL review each letter. If he believes  
13 that a letter only discusses the above-mentioned approved topics, he SHALL  
14 forward the letter to the intended recipient Defendant. If, however, he believes  
15 that a letter discusses matters other than the above-approved topics, he is  
16 DIRECTED to send a copy of the letter to the Court for *in camera* review and  
17 refrain from forwarding the letter to the intended recipient.

- 18 (3) Mr. Aoki is DIRECTED to retain a copy of each letter.

19 Dated this 28th day of August 2023.

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21 \_\_\_\_\_  
22 Tana Lin  
23 United States District Judge  
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